

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

PITTSFIELD GENERATING COMPANY, L.P.,

Plaintiff,

v.

DEVON CANADA CORPORATION,

Defendant.

Civil Action No:
04-30128-MAP

**DEFENDANT DEVON CANADA CORPORATION'S
REVISED STATUS REPORT ON PARALLEL LITIGATION**

Pursuant to the Court's Order of December 28, 2004, Defendant Devon Canada Corporation ("Devon") hereby submits this report on the status of the parallel Alberta litigation. As requested by the Court's Order, Devon will continue to file subsequent status reports every six months. The Revised Status Report includes previously omitted information. (Paragraphs 5 and 8).

Regarding the parallel Alberta litigation, which involves the above-named and additional parties, the parties currently are conducting in Alberta what would be the equivalent of discovery in the United States. More specifically, the following significant events have occurred within the last six months:

1. On June 28, 2005, counsel for Devon filed and served a Notice of Motion wherein Devon renewed its application of May 18, 2005 for Judgment against Altresco, Inc. ("Altresco") and Pittsfield Partners, Inc. ("PPI"). Devon submitted its brief in support on October 7, 2005. PE-Pittsfield, LLC, PurEnergy I, LLC and Pittsfield Generating Company, LP (collectively

“PGC”), filed a brief in response to Devon’s application on October 14, 2005. The matter was scheduled for a hearing on October 26, 2005.

2. On July 21, 2005, counsel for Altresco and PPI confirmed to the Alberta Court that Altresco and PPI wished to continue their application pursuant to Rule 129 to dismiss Devon’s claim against them. This also was scheduled for a hearing on October 26, 2005.

3. On October 20, 2005, PGC filed and served a Notice of Motion and Supplementary Brief in support of an application to stay Devon’s claim pending the resolution of Pittsfield Generating Company, LP’s counterclaim against Devon. Devon filed its response on October 25, 2005.

4. At a hearing on October 26, 2005, Justice S.J. LoVecchio of the Court of Queen’s Bench of Alberta dismissed the applications of all the parties (i.e. Altresco and PPI’s application to dismiss Devon’s claim, Devon’s application for Judgment against Altresco and PPI and Pittsfield Generating Company, LP’s application to stay Devon’s claim pending resolution of its counterclaim).

5. On November 15, 2005, counsel for PGC, Peacock Linder & Halt LLP (“PLH”), assumed conduct of the Alberta litigation on behalf of Altresco and PPI.

6. On December 2, 2005, PGC produced documents to Devon.

7. On December 16, 2005, Devon produced documents to PGC.

8. PLH is required to prepare an Affidavit of Records on behalf of Altresco and PPI and must produce their documents.

9. Counsel for the parties are working towards scheduling dates for an initial round of examinations for discovery.

Respectfully submitted,

/s/ Michelle C. Pardo
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Defendant Devon Canada Corporation's Revised Status Report on Parallel Litigation was served electronically on the 29th day of December, 2005 on the following:

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/s/ Michelle C. Pardo